

Message Text

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15
ORIGIN L-03

INFO OCT-01 ARA-06 ISO-00 CPR-01 SY-05 USSS-00 SCCT-01

CIAE-00 INR-07 NSAE-00 /024 R

DRAFTED BY L/ARA:MGKOZAK
APPROVED BY ARA:WDROGERS
ARA/EP FCORRY(DRAFT)
L/M PSHAMWELL
L/ARA DAGANTZ
ARA/HARYAN
S/CPR:HDAVIS

----- 096978

R 030002Z MAR 76
FM SECSTATE WASHDC
TO AMEMBASSY LIMA

LIMITED OFFICIAL USE STATE 051124

E.O. 11652: N/A

TAGS: PFOR, PE

SUBJECT: BOMBING OF PERUVIAN CONSULATE IN PUERTO RICO

REF: LIMA A-119

1. REQUEST EMBASSY TRANSMIT NOTE ALONG FOLLOWING LINES
TO FOREIGN MINISTRY IN WHATEVER MANNER YOU JUDGE APPROPRIATE

2. "THE EMBASSY OF THE UNITED STATES OF AMERICA HAS THE
HONOR TO REFER TO THE MEMORANDUM OF JUNE 4, 1975 OF THE
MINISTRY OF FOREIGN RELATIONS OF PERU CONCERNING DAMAGE
TO THE RESIDENCE OF AN HONORARY CONSUL OF PERU IN SAN JUAN,
PUERTO RICO, AND TO DISCUSSIONS BETWEEN OFFICERS OF THE
DEPARTMENT OF STATE AND FOREIGN MINISTER DE LA FLOR ON
THIS SUBJECT DURING HIS RECENT VISIT TO THE UNITED STATES.

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-- AS EXPLAINED IN THE EMBASSY'S NOTE NUMBER 223 OF
MARCH 20, 1975, THE UNITED STATES GOVERNMENT MAINTAINS

NO RESPONSIBILITY UNDER INTERNATIONAL LAW FOR INDEMNIFICATION UNDER CIRCUMSTANCES SUCH AS THOSE INVOLVED IN THIS CASE. DESPITE THE ABSENCE OF ANY LEGAL LIABILITY ON THE PART OF THE UNITED STATES, HOWEVER, THE POSSIBILITY OF THE UNITED STATES PROVIDING AN EX GRATIA PAYMENT TO THE GOVERNMENT OF PERU WAS DISCUSSED WITH MINISTER DE LA FLOR. REGRETTABLY, AT THE TIME OF THOSE DISCUSSIONS, THE

DEPARTMENT HAD NOT FOCUSED UPON THE FACT THAT THE DAMAGED PROPERTY WAS THE PRIVATE RESIDENCE OF A UNITED STATES CITIZEN SERVING AS AN HONORARY CONSULAR OFFICER OF PERU, AND NOT PROPERTY BELONGING TO THE GOVERNMENT OF PERU. IT IS NOT THE POLICY OF THE UNITED STATES GOVERNMENT TO INDEMNIFY UNITED STATES CITIZENS, EVEN ON AN EX GRATIA BASIS, FOR DAMAGE TO THEIR PRIVATE PROPERTY, MERELY BECAUSE THEY MAY SERVE AS AN HONORARY CONSULAR OFFICER OF A FOREIGN GOVERNMENT. ACCORDINGLY, THE UNITED STATES GOVERNMENT DOES NOT CONSIDER INDEMNICATION TO BE APPROPRIATE WITH RESPECT TO THE DAMAGES SUFFERED BY DR. PATINO.
-- COMPLIMENTARY CLOSE"

3. PLEASE ADVISE AS TO DATE OF TRANSMISSION AND ANY REACTION YOU MAY RECEIVE FROM FOREIGN MINISTRY. INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TEXT, BOMBING, DIPLOMATIC NOTES, DIPLOMATIC MISSIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 03 MAR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: powellba
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE051124
Document Source: CORE
Document Unique ID: 00
Drafter: MGKOZAK
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760080-0397
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760399/aaaadjem.tel
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Original Handling Restrictions: n/a
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Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 LIMA A-119
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Review Authority: powellba
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Review Content Flags:
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Review Event:
Review Exemptions: n/a
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Margaret P. Grafeld
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US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
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Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: BOMBING OF PERUVIAN CONSULATE IN PUERTO RICO
TAGS: PFOR, PE, US, RQ
To: LIMA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006